

U.S. Appl. No. 09/972,816  
Reply to Office Action dated January 25, 2006

PATENT  
450104-02976

### **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

#### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS.**

Claims 1-20 are pending. Claims 1, 6, 11 and 16 are independent. Claims 1-12, 14-16 and 18-20 are hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed and specifically on page 14. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

#### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6, 414, 725 to Clarin, et al. (hereinafter, merely "Clarin") in view of U.S. Pub. No. 2001/0055336 A1 to Krause, et al. (hereinafter, merely "Krause").

Claim 1 recites, *inter alia*:

"A video data recording apparatus comprising...  
**receiver means for receiving at least an edit decision list  
based on said transmitted second encoded data;**

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wherein said first encoded data are retrieved from said storing means and broadcast in accordance with said edit decision list." (emphasis added)

As understood by Applicant, Clarin relates to a data storage system that simultaneously stores incoming data in a plurality of different digital formats linked together to permit economical accessibility and browsing of stored content by providing user access to reduced-resolution versions of stored format.

As understood by Applicant, Krause relates to a compressed video decoder/encoder (reencoder) system for varying the compression ratio of a compressed video program. The composite reencoder system implements tightly coupled elements for decoding and encoding compressed video data implementing techniques of header forwarding and utilizing an architecture in which a shared motion compensator supports both decoding and encoding operations simultaneously.

Applicant respectfully submits that Clarin and Krause, taken either alone or in combination do not disclose the above features of claim 1. Specifically, Clarin and Krause do not disclose a video data recording apparatus comprising a receiver means for receiving at least an edit decision list based on said transmitted second encoded data wherein said first encoded data are retrieved from said storing means and broadcast in accordance with said edit decision list, as recited in independent claim 1.

Indeed, Clarin discloses that "the invention can convert the EDL for one stored format to a corresponding EDL for another stored format." However, the present application teaches broadcasting said first encoded data in accordance with the edit decision list which was created based on said second encoded data.

Therefore, Applicant submits that independent claim 1 is patentable.

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For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 6, 11 and 16 are also believed to be patentable.

### III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.


In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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